

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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|                               | :      |                           |
| UNITED STATES OF AMERICA      | :      |                           |
|                               | :      |                           |
| - v. -                        | :      | Case No. 17 Cr. 413 (AKH) |
|                               | :      |                           |
| ALI KOURANI                   | :      | <b>DECLARATION OF</b>     |
|                               | :      | <b>ALI KOURANI</b>        |
| Defendant.                    | :      |                           |
|                               | :      |                           |
| -----                         | X      |                           |
| STATE OF NEW YORK             | )      |                           |
| COUNTY OF NEW YORK            | : ss.: |                           |
| SOUTHERN DISTRICT OF NEW YORK | )      |                           |

Ali Kourani, pursuant to Title 28, United States Code, Section 1746, hereby declares under penalty of perjury:

1. I am the defendant in this case and I make this Declaration in support of this motion to suppress statements made by me. This Declaration was written for me by my lawyer, Alexei Schacht. All facts in it are true to the best of my knowledge but my lawyer has advised me that he has not included all facts known to me about which I have told him but only those that he believes are necessary for this motion.
2. I am 33 years old and was raised in Tyre, Lebanon, which is a town in the Southern part of that country quite close to Israel's Northern border.
3. I am a naturalized United States citizen. My wife is not an American citizen although in the year 2013 she applied for United States residency. We have two children together. I have a brother who lives in the United States and two sisters who live in Lebanon with my parents. My wife has had great difficulty obtaining her residency. She

had custody of the children in the 10-month period in 2016 and 2017 before I was arrested.

4. Beginning in about 2012 American law enforcement authorities began questioning me regularly by coming to my house or at the airport every time I entered the United States from any trip abroad. They did this on about eight total occasions usually at John F. Kennedy Airport in New York City. The questions always centered around my whereabouts and they usually asked me about Hezbollah. It was a big deal for me to travel and I missed my flights on several occasions because of these interrogations. On one occasion I got stranded in Germany for eight hours with my then one-year-old daughter.

5. In April 2016 I was working in Chicago and I came back to New York City to move my family to Chicago. FBI agents approached me in a Starbucks and asked me pointed questions about my involvement in Hezbollah. They gave me a special phone to communicate with them and asked me not to move my family out of New York City.

6. The FBI agents kept inviting me to work with them even after I said I had nothing to offer and did not want to be an informant. They offered me cash on several occasions (between \$2,000 and \$5,000) and at one time offered to pay me one-thousand dollars a month. The FBI threatened my children's health insurance, my job and told me that they could turn my life upside down and kick me out of my apartment. They showed me a legal agreement one time that they offered to me so I could be an informant. They also offered my wife help and security. The FBI even put me on the phone with someone that they said was an immigration agent who offered to help my wife. In the end I told the

agents to stop harassing me, and I told them that I could not really help them and even said that they could not be trusted.

7. After I cut my relationship with the FBI agents they started reaching out to my family members and friends telling them that I am a dangerous man and a terrorist.

8. In the following weeks I became more desperate over my family situation and my wife and I began to see our marriage deteriorate. In July of 2016 I took my family for a vacation to Lebanon. Following an argument with my wife, fueled by the rumor that I was an American government informant, members of Hezbollah attacked my home in Yater, Lebanon. These people shot bullets at my home and tried to abduct or kill me, I am not sure which. The FBI was aware of this fact. Indeed, the American Embassy in Lebanon held my passport for several days as I was trying to leave Lebanon and when I asked why, the Embassy officials said that it was at the FBI's request. While I was not able to leave Lebanon for a few weeks, I sent my children with my wife to Canada to insure all of their safety from Hezbollah.

9. At that time I was working as a district manager for the Metro PCS Company in Chicago. The delay in returning to the States combined with the FBI having gone to my work place where they told my boss that I was a member of Hezbollah, caused me to be fired from my job.

10. After I came back to the United States I lost yet another job from the FBI's intervention. And during this time the FBI kept talking badly about me to family members. Having lost direct contact with my children, separated from my wife, with no job, and under so much strain and worried about my family situation in Lebanon, I sought the help of a psychologist. This situation was caused largely by the FBI's actions. So I



actually felt that the FBI could help to ease the strain and pressure they had partially caused, and might help me, if I finally helped the FBI.

11. In February 2017, an acquaintance whom I trusted recommended Seton Hall law school professor and lawyer Mark Denbeaux to help me get my children back. Getting to know that Mr. Denbeaux knew how to deal with the FBI and CIA agents, I explained to him that the FBI had turned my life upside down and had followed me for a long time and accused me of being a member of Hezbollah and repeatedly tried to get me to be an informant.

12. I then attended a series of five meeting with the FBI and my then lawyer, Mr. Denbeaux. Before the first meeting Mr. Denbeaux and the agents told me that he had spoken to the FBI and that they promised that no one other than their supervisors would know about the meetings and that they would be confidential. Mr. Denbeaux told me that I would not be prosecuted for what I said at the meetings so that I could be honest.

13. During the meetings I admitted that I had information about Hezbollah. Many of the things that the FBI subsequently wrote in reports that I obtained as discovery are not true but my current lawyer tells me that for the purpose of this motion that does not really matter, as we are moving to suppress everything that I said in the meetings with Mr. Denbeaux.

14. Before the second meeting, Mr. Denbeaux provided a piece of paper to the FBI that summarized our verbal agreements with them, including the fact that I would not be prosecuted for what I said. But we did have a kind of dispute with the FBI over what other promises or benefits regarding my children and immigration I would receive.

15. I was upset that I was cooperating with the FBI and letting them know several pieces of information that I believed were valuable.

16. I made it clear at the outset with the FBI that I was doing this because I was not then a part of Hezbollah and since I wanted to protect and be with my children in the United States and insure the safety of my family in Lebanon. In order to do that I needed help obtaining immigration benefits for them. The two agents with whom we met said that they could obtain those benefits for my family in exchange for my help and that they would try to do so.

17. During the first meeting when I asked for this help they once left the room to call their supervisor. They came back and said that they could help. I asked them for a timeline and they said that they could: 1) help me to see my children in Canada within 6 weeks; 2) get my sister and father to the United States within two months and 3) get my children safely to the United States no later than the end of August, 2017. And the only reason that it could not be totally guaranteed was because they needed to enlist the help of ICE and the State Department. At the second meeting the agents discussed with me the possibility of my having a meeting in Canada with my wife to discuss the children's custody. As time went on though I became more impatient as there appeared to be no movement on the safety issues and they kept telling us that such help would take time to reach out to other government agencies.

18. They asked if they could help with the more easy to achieve sorts of benefits that had been offered to me, such as getting me a job. This was significant to me because the FBI had previously spoken to people in my family, and others I know, about me and had harmed my reputation by saying to them that I was a dangerous person. They also had

told me that they could control my life by affecting my educational opportunities and family relationships. I took these threats to heart and was desperate for their help once they offered it.

19. At the April 14, 2017 meeting, I told the FBI that I would like their help in obtaining a job that would pay about \$120,000 a year. I have a degree in biomedical engineering and an M.B.A. degree so I felt highly qualified to obtain such a job. As such, about four days later I emailed FBI Special Agent Costello my resume so that he could help me to get that job. I never did get such a job.

20. Instead, early on about June 1, 2017, while still waiting for the FBI to fulfill its promises to me, with no warning, the FBI came to my house and arrested me based upon the information that I had given them that they had promised to keep confidential.

Dated: New York, New York  
January 7, 2018



Ali Kourani